

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Khurshed Mazhar et al. )  
 Serial No. 09/411,171 ) Art Unit: 2756  
 Filed: October 1, 1999 ) Examiner: \_\_\_\_\_  
 For: Windows Radio Toolbar )

#4

**PETITION UNDER 37 CFR 1.47**  
**TO FILE APPLICATION WHEN INVENTOR CANNOT BE REACHED**

Assistant Commissioner of Patents  
 Box DAC  
 Washington, DC 20231

**RECEIVED**

APR 04 2000

Dear Sir:

OFFICE OF PETITIONS  
DEPUTY A/C PATENTS

Applicants submit this petition to file the above-referenced application under Rule 1.47 due to the fact that one of the inventors, Kevin Warne, could not be reached.

The attached declaration of D. Bartley Eppenauer—the in-house attorney for the assignee—provides the detailed proof of the pertinent facts in support of

07/05/2000 KPE1ERSO 00000001 190733 09411171

Sale Ref: 00000003 DAH: 190733 09411171

01 FC:122 the petition. The petition fee in accordance with Rule 1.17(i) is also enclosed.

As discussed in the attached declaration, neither the assignee nor the inventors have a last-known address for Mr. Warne.

Mr. Warne's last-known employer is Harris & Associates, whose telephone number is (206) 232-9330. Unfortunately, the principal at Harris & Associates, Ray Murphy, would not divulge Mr. Warne's home address or provide other contact information.

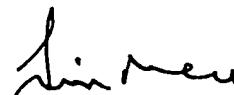
For the foregoing reasons, Applicants respectfully request that this petition be granted.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Date: March 21, 2000

By:



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